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NOVEMBER 2, 2023 BY RONNIE

# U.N. Sendai Framework Introduced Domestically Via B.C. Bill 31 (Emergency & Disaster Management Act)

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## Introduction and First Reading of Bills

BILL 31 — EMERGENCY AND DISASTER MANAGEMENT ACT

Hon. B. Ma presented a message from Her Honour the Lieutenant-Governor: a bill intituled Emergency and Disaster Management Act.

**Hon. B. Ma:** I move that Bill 31 be introduced and read a first time now.

Mr. Speaker, I'm pleased to introduce the Emergency and Disaster Management Act. This bill delivers on government's pledge to introduce modernized emergency management legislation that aligns with the United Nations Sendai framework for disaster risk reduction, the international best practices for how we make our communities safer and more resilient.

This legislation formally recognizes the rights of First Nations as decision-makers in emergency management, which is an important step in aligning B.C.'s approach with the declaration on the rights of Indigenous peoples.

The Emergency and Disaster Management Act moves towards a holistic four-phase approach of mitigation, preparation, response and recovery. It embraces disaster risk reduction and will require that climate risk be assessed so that entities can better mitigate the impacts of climate-related emergencies before they happen.

This bill updates the concept of what constitutes an emergency to reflect modern realities and risks and provides improved tools for response and recovery. I look forward to debate on this bill and, ultimately, to the improvements it will bring for the safety of people across British Columbia.

**Mr. Speaker:** Members, the question is the first reading of the bill.

Motion approved.

UNDRR

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# Sendai Framework for Disaster Risk Reduction 2015-2030

**Source:** United Nations - Headquarters, United Nations Office for Disaster Risk Reduction

The Sendai Framework for Disaster Risk Reduction 2015-2030 outlines seven clear targets and four priorities for action to prevent new and reduce existing disaster risks: (i) Understanding disaster risk; (ii) Strengthening disaster risk governance to manage disaster risk; (iii) Investing in disaster reduction for resilience and; (iv) Enhancing disaster preparedness for effective response, and to "Build Back Better" in recovery, rehabilitation and reconstruction.

It aims to achieve the substantial reduction of disaster risk and losses in lives, livelihoods and health and in the economic, physical, social, cultural and environmental assets of persons, businesses, communities and countries over the next 15 years.

**Publication Year**
2015

The Framework was adopted at the Third UN World Conference on Disaster Risk Reduction in Sendai, Japan, on March 18, 2015.

A few weeks ago, British Columbia Bill 31, the Emergency and Disaster Management Act, made ripples because of the embedded language which seemed to be a threat to property rights. Under the pretense of emergencies, rights could be suspended in a manner that heavily paralleled the Public Health Act.

However, it's noteworthy that the B.C. Government isn't actually responsible for this legislation. It's domestic implementation of the United Nations Sendai Framework, signed in Japan in 2015.

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on this bill and, ultimately, to the improvements it will bring for the safety of people across British Columbia.

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Motion approved.

It's also explicitly stated that it will be used to "mitigate the risks" of climate change, but without specifying what those risks are.

Bill 31 is quite long, but here are a few notable parts. Section 76 allows the Minister to suspend property rights under the guise of mitigating an emergency. It also allows for warrantless entry under that same pretense.

Furthermore, the Minister is able to order that property be destroyed …. including crops. By this logic, food supply would not be secure either.

***Land and other property***

76 (1) The minister may, by order, do one or more of the following:

(a) ***appropriate, use or control the use of any personal property***;

(b) ***use or control the use of any land***;

(c) authorize the entry ***without warrant into any structure or onto any land*** by any person for the purpose of taking emergency measures;

(d) ***prohibit the entry into any structure or onto any land by any person***;

(e) authorize or ***require the alteration, removal or demolition of any trees, crops, structures or landscapes***;

(f) authorize or ***require the construction, alteration, removal or demolition of works***;

(g) require the owner of a structure to

(i) have any damage to the structure assessed, and

(ii) give the results of the assessment to the minister or a person in a class of persons specified by the minister.

(2) The power under subsection (1) (b) to use or control the use of land does not apply to specified land.

Section 78 would give the Government the power to restrict travel and movement, shut down businesses, and various events. This greatly parallels what happened from 2020 to 2022. The

difference here is that the excuse isn't a disease.

> General restrictions
> 78 (1) The minister may, by ***order, control or prohibit*** one or more of the following:
> (a) ***travel to or from any area***;
> (b) ***the carrying on of a business or a type of business***;
> (c) ***an event or a type of event***.
> (2) The minister may, by order, do one or more of the following:
> (a) require a person to stop doing an activity, including an activity that a person is licensed, permitted or otherwise authorized to do under an enactment;
> (b) put limits or conditions on doing an activity, including limits or conditions that have the effect of modifying a licence, permit or other authorization issued under an enactment.

Section 82 says that the Lieutenant Governor in Council can make retroactive orders. This would presumably legalize actions that would previously have been illegal.

Section 139 makes it clear that compliance is mandatory.

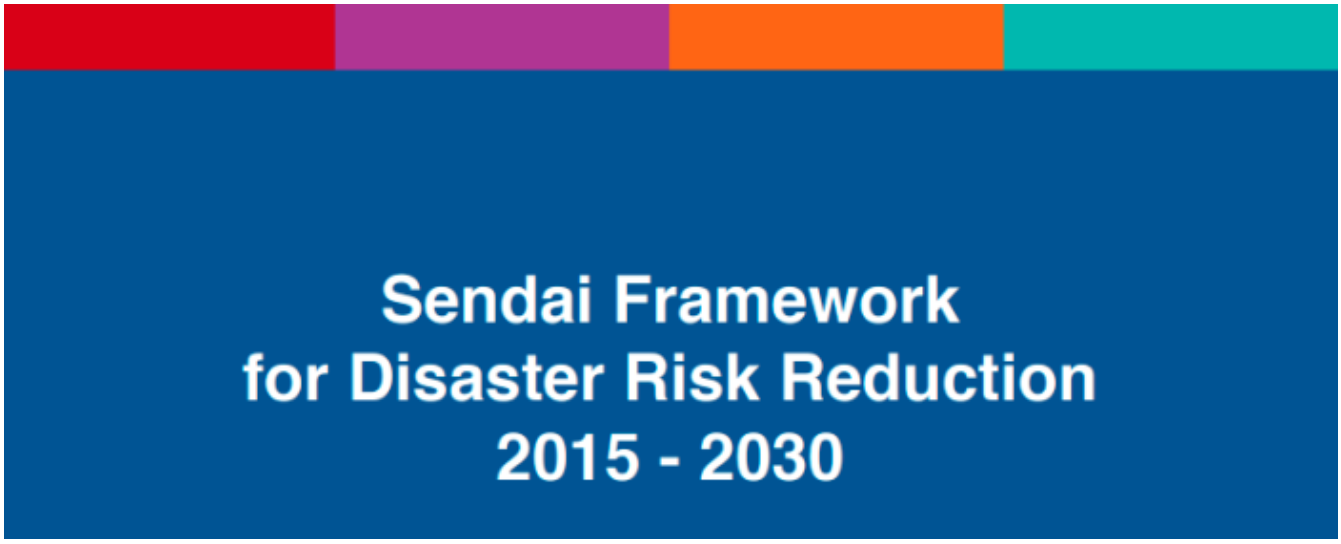
Section 140 gives provincial administrators the power to ask for police enforcement

Section 141 outlines judicial remedies to obtain injunction.

Section 154 provides protection from legal proceedings for pretty much anyone involved in implementing emergency management orders.

There is much more to this Bill, and that will be covered in a follow-up.

Now, what does this have to do with the United Nations?




Turns out, that the Sendai Framework was agreed to in 2015, and this is just B.C. implementing their version of it. This is also the third conference, with the first being Yokohama in 1994, and the second in Hyogo in 2005. The specific agency is the UNDDR, the United Nations Office for Disaster Risk Reduction.

The full text of the Sendai Framework for Disaster Risk Reduction (see archive) is available online. As should be apparent, Bill 31 heavily copies this content.

And the Emergency & Disaster Management Act heavily mirrors the Provincial Public Health Acts, which strip away property rights under the cloak of disease prevent. Those have been covered here and here.

More to come!

(1) https://www.leg.bc.ca/parliamentary-business/legislation-debates-proceedings/42nd-parliament/4th-session/bills/bills-with-hansard-debate
(2) https://www.leg.bc.ca/documents-data/debate-transcripts/42nd-parliament/4th-session/20231003am-Hansard-n331#bill31-1R
(3) https://www.preventionweb.net/publication/sendai-framework-disaster-risk-reduction-2015-2030
(4) https://www.preventionweb.net/files/43291_sendaiframeworkfordrren.pdf
(5) https://www.preventionweb.net/files/44983_sendaiframeworkchart.pdf
(6) Sendai Framework 2015 Full Text English
(7) https://en.wikipedia.org/wiki/World_Conference_on_Disaster_Risk_Reduction

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## 3 Replies to “U.N. Sendai Framework Introduced Domestically Via B.C. Bill 31 (Emergency & Disaster Management Act)”

### Gordon S Watson

NOVEMBER 14, 2023 AT 5:00 PM

in his report #44 in the summer of 2020, Ombudsman Jay Chalke opined that the way the Emergency Act had been implemented, was illegal
not a word about that, since

### Peter Carson

DECEMBER 19, 2023 AT 11:33 AM

How do we find who wrote this, who is behind this nonsense? Is this bill on going?

### Toni

JANUARY 11, 2024 AT 10:11 AM

This bill received royal assent in BC on November 8th 2023.
How can we stop it?
Thanks so much for your excellent and dedicated work, Toni

So I tried to contact my local MLA and this is the reply I got. I was trying to get a chance to speak with her directly and the receptionist has been trying to get me to send her more information. she tells me it has passed gave me the link to show me that Sandhu wasn’t present and that it didn’t matter anyway. I wonder how many were not present. Here is our correspondence below.

Hi Toni,

I have reached out to Ministry of Emergency Management and Climate Readiness for more information regarding your concerns. They confirmed that foreign entities, like WHO and WEF,

cannot govern in B.C. during emergencies.

I also wanted to address the questions you posed. Yes, royal assent means this legislation passed (on Nov. 8) into an Act. Third reading was passed 42 to 22 on Nov. 1. MLA Sandhu was not present to vote. Had she been there, it would have passed regardless of her position.

Can you please pull from the legislation the pieces you are directly concerned with, if that's possible.

Thank you,

Caitlin Clow (She/Her)
Constituency Assistant for Harwinder Sandhu, MLA for Vernon-Monashee
B-2920 28th Ave, Vernon, BC, V1T 1V9
T: 250-503-3600
To stay up to date on MLA Sandhu's work in the Legislature and across Vernon-Monashee, sign up for our newsletter.

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From: SENSATIONS skin, bodycare, & electrolysis Toni Marie Rennie RE
Sent: Thursday, January 4, 2024 2:30 PM
To: Sandhu.MLA, Harwinder
Subject: Re: Shared Voicemail (CO Vernon-Monashee)

You don't often get email from sensationsskincare@shaw.ca. Learn why this is important
Hello Caitlyn,
Thank you for your reply after our brief conversation on the telephone yesterday.
When you say it has already received 'royal assent' this means it has already passed and is now an Act of Parliament and is now Law? I cannot see any further than the first motion to proceed? I have searched through what you sent me. I simply need to know.
Has proper parliamentary process been breached here in this province?

Also, How has Harwinder voted on this? I cannot see her vote.
Has she read the bill in it's entirety and understand the implications in giving such authority to a foreign entity affiliated with the W.H.O and W.E.F. ?
Also, I am wondering if she is she a lawyer because to truly understand the implications put forth in the motion she should be. These are legal contracts and must be fully understood before voting on such an invasive Bill to our Charter of Rights in this Country.
Citizens of BC and Canada are being kept in the dark about the real underlying implications on giving such power over to something we have not been given approval.
Just to let you know I am well versed with the Bill already… this is why I would like to speak with

my local MLA to speak of my concerns of a foreign entity governing under the threats of Climate Crisis.
Please give me time at her soonest availability for a meeting as discussed. I will let you know who will join me in the meeting.

Thank You, Toni Schroeder-Rennie

From: Sandhu.MLA, Harwinder
Sent: Wednesday, January 3, 2024 3:26 PM
To: sensationsskincare@shaw.ca
Subject: Fw: Shared Voicemail (CO Vernon-Monashee)

Good afternoon,

Following up with our call I wanted to share some webpages I think may be helpful to understand Bill 31.

Modernized emergency management legislation – Province of British Columbia (gov.bc.ca)

Here's the news release: New emergency management legislation, task force pave way for resilient communities | BC Gov News

and a YouTube video: New Emergency and Disaster Management Act introduced (youtube.com)

The full bill can be found here: Bill 31 – 2023: Emergency and Disaster Management Act (leg.bc.ca) (this bill received it's royal assent on Nov. 8, you can see all progress of bills here: Progress of Bills (leg.bc.ca))

Votes and proceedings can be found here: leg.bc.ca/parliamentary-business/legislation-debates-proceedings/42nd-parliament/4th-session/votes-and-proceedings

Please let me know what specific questions you may have and I can reach out to ministry directly to get more specific information for you.

Thank you,

Caitlin Clow (She/Her)
Constituency Assistant for Harwinder Sandhu, MLA for Vernon-Monashee
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